

1 BILL NO. Z-83-09-43

2 ZONING MAP ORDINANCE NO. Z- Lash

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. 0-22.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
6 INDIANA:

7 SECTION 1. That the area described as follows is hereby designated
8 a P.O.D. (Professional Office District) under the terms of Chapter 33 of the
9 Code of the City of Fort Wayne, Indiana of 1974:

10 Lot Number 1 in Maple View Addition to the City of Fort Wayne,
11 according to the plat thereof, recorded in Plat Record 7, page 22,
12 in the Office of the Recorder of Allen County, Indiana

13 and the symbols of the City of Fort Wayne Zoning Map No. 0-22, as established
14 by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana
15 are hereby changed accordingly.

16 SECTION 2. That this Ordinance shall be in full force and effect
17 from and its passage and approval by the Mayor and the legal publication
18 thereof.

19 John
20 COUNCILMEMBER

21
22 APPROVED AS TO FORM AND LEGALITY

23 Bruce O. Boxberger
24 BRUCE O. BOXBERGER, CITY ATTORNEY
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Read the first time in full and on motion by Stier,
seconded by Stier, and duly adopted, read the second time
by title and referred to the Committee Regulation (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on _____, the _____ day of
_____, 19____, at _____ o'clock _____.M., E.S.T.

DATE: 9-27-83

Sandra E. Kennedy
CITY CLERK

Read the third time in full and on motion by Stier,
seconded by Stier, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>0</u>	<u>6</u>	_____	<u>3</u>	_____
<u>BRADBURY</u>	_____	_____	_____	<u>✓</u>	_____
<u>BURNS</u>	_____	<u>✓</u>	_____	_____	_____
<u>EISBART</u>	_____	<u>✓</u>	_____	_____	_____
<u>GIAQUINTA</u>	_____	_____	_____	<u>✓</u>	_____
<u>SCHMIDT</u>	_____	_____	_____	<u>✓</u>	_____
<u>SCHOMBURG</u>	_____	<u>✓</u>	_____	_____	_____
<u>SCRUGGS</u>	_____	<u>✓</u>	_____	_____	_____
<u>STIER</u>	_____	<u>✓</u>	_____	_____	_____
<u>TALARICO</u>	_____	<u>✓</u>	_____	_____	_____

DATE: 11-22-83

Sandra E. Kennedy
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)
(APPROPRIATION) ORDINANCE (RESOLUTION) NO. _____
on the _____ day of _____, 19____.

ATTEST:

(SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the _____ day of _____, 19____, at the hour of
_____ o'clock _____.M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____
19____, at the hour of _____ o'clock _____.M., E.S.T.

WIN MOSES, JR. - MAYOR

TO: COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA Date Filed _____

Intended Use Professional Office

I/~~XX~~ William F. Cain, D.D.S. (Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from ~~X~~/an R-1 district to a/~~XX~~ P.O.D. district the property described as follows:

Lot Number 1 in Maple View Addition to the City of Fort Wayne, according to the plat thereof, recorded in Plat Record 7, page 22, in the Office of the Recorder of Allen County, Indiana.

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

William F. Cain, D.D.S. 3402 North Anthony Blvd. Fort Wayne, IN 46805

(Name) (Address) (Signature)

Legal Description Checked By: (City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent: William D. Swift 590 Lincoln Tower Fort Wayne, Indiana 46802 219-423-4422 (Name) (Address) (Telephone Number)

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 27, 1983, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-83-09-43; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 19, 1983;

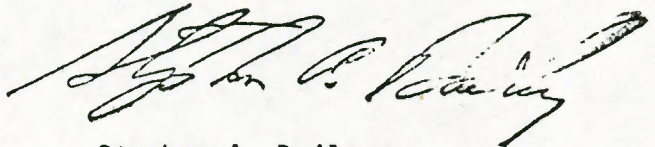
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Finding of Fact":

- (1) the grant will be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;
- (3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;
- (5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 24, 1983.

Certified and signed this
26th day of October, 1983.



Stephen A. Bailey
Secretary

BILL NO. Z-83-09-43

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. 0-22

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do not PASS.

JAMES S. STIER, CHAIRMAN

JANET G. BRADBURY, VICE CHAIRMAN

VICTURE L. SCRUGGS

MARK E. GIAQUINTA

ROY J. SCHOMBURG

Janet G. Bradbury
Victure Scruggs
Mark E. GiaQuinta
Roy J. Schomburg
Sandra E. Kennedy

11-22-83

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

No 9042

FT. WAYNE, IND., 8/31 19 83

RECEIVED FROM W. A. Cain, D.D.S. \$ 50.00

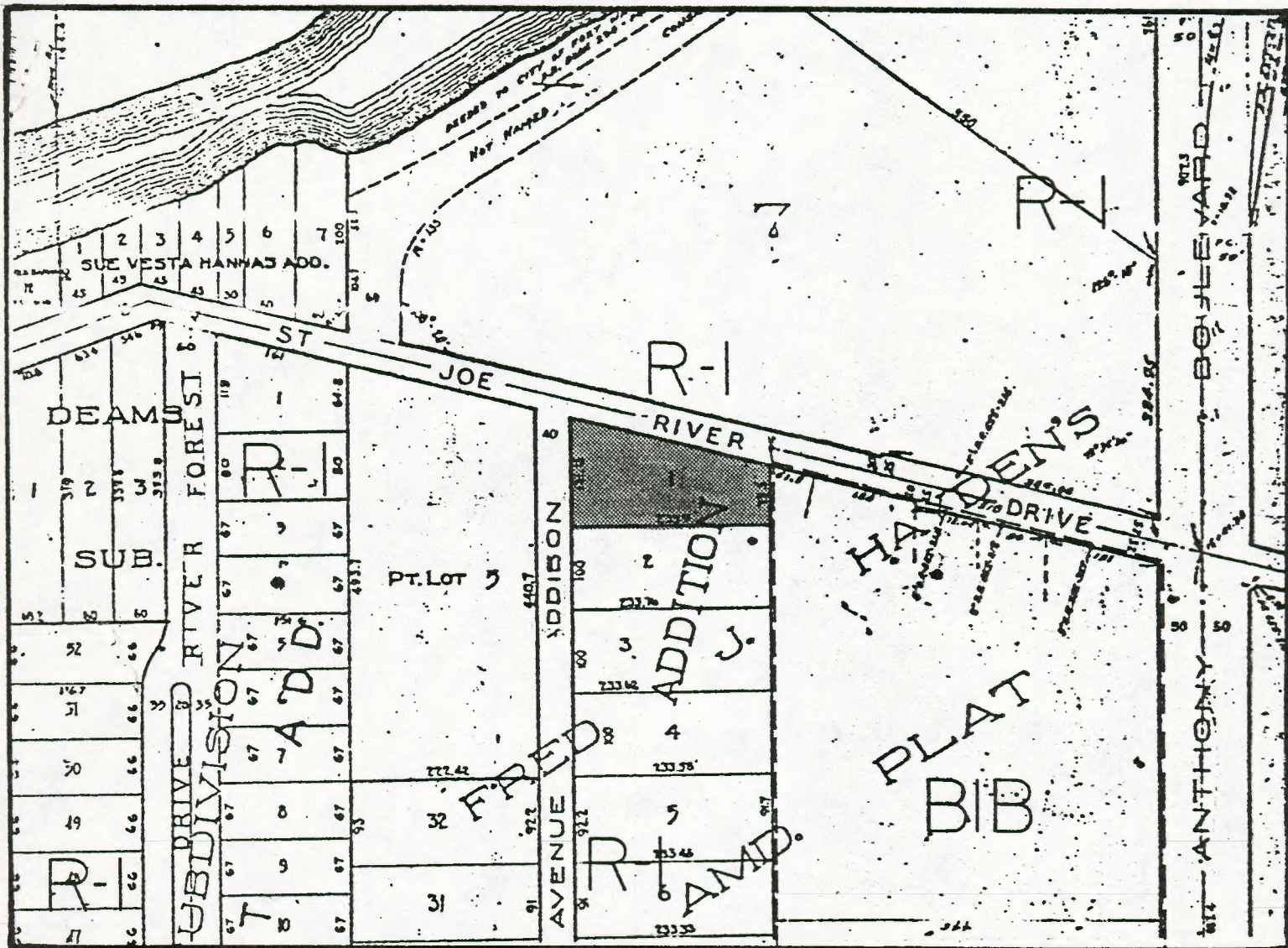
THE SUM OF Fifty Dollars ¹⁰⁰ DOLLARS

ON ACCOUNT OF Leaving - Lot 1 - Maple View Add.

check
2349

R-1 to P.O.D - St. Joe River Dr
Ken Shownath

AUTHORIZED SIGNATURE

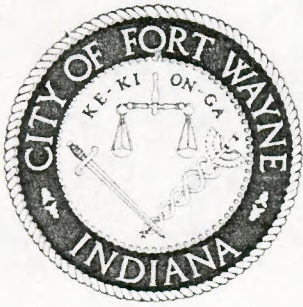


■ A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING DESCRIBED PROPERTY FROM AN R-1 TO A P.O.D. DISTRICT.

MAP NO. 0-22

Z-83-09-43





The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

26 October 1983

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held October 24, 1983. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-83-09-43
2. From R-1 to P.O.D. (Professional Office Overlay District)
3. Intended Use: Doctor's Office & Professional Offices
4. Plan Commission Recommendation: DO NOT PASS

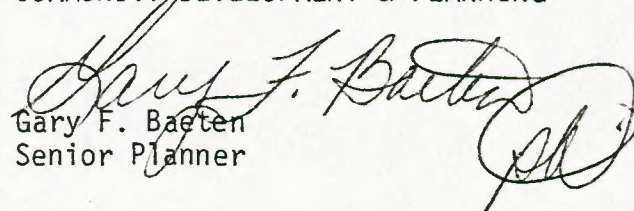
This ordinance received a DO NOT PASS recommendation for the following reason:

REASON: This rezoning would not be compatible with the surrounding residential uses.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING


Gary F. Baeten
Senior Planner

GFB:pb

Attachments

ORIGINAL

ORIGINAL

DIGEST SHEET,

6440

TITLE OF ORDINANCE Zoning Ordinance Amendment

3-83-09-43

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE Lot Number 1 Maple View Addition.

EFFECT OF PASSAGE Property is now zoned R-1 - Single Family Residential.

Property will be allowed a Planned Office District classification which is an overlay
reclassification.

EFFECT OF NON-PASSAGE Property will remain zoned R-1 - Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____